

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following remarks is respectfully requested.

Claims 10-21 are presently active, Claims 1-9 having been canceled and Claims 10-21 added by the present amendment.

In the outstanding Office Action Claims 2-4 and 8 were objected to as including informalities requiring correction; Claims 1-9 were rejected under 35 USC §112, 2<sup>nd</sup> para., as being indefinite; Claims 1-9 were rejected under 35 USC §101 as directed to non-statutory subject matter; and Claims 1-9 were rejected under 35 USC §102(b) as being anticipated by Giovannoli (U.S. 5,842,178). Further, a substitute specification was required.

In response to the requirement for a substitute specification, the specification has been amended and a clean copy of the specification, in the form of the attached substitute specification, is attached. No new matter has been added.

In light of the outstanding grounds for rejection on the merits, Claims 1-9 have been canceled and replaced by new Claims 10-21 drafted to overcome the several grounds for rejection. No new matter has been added.

Responding specifically to the rejection under 35 USC §112, 2<sup>nd</sup> para., it is noted that the newly submitted claims recite specific steps and structural elements in accordance with U.S. claim drafting format. Accordingly, this ground for rejection is believed to have been overcome. If, however, the Examiner disagrees, the Examiner is invited to telephone the undersigned who will be happy to work with the Examiner in a joint effort to derive mutually satisfactory claim language.

As is seen in the newly submitted claims, the claimed invention is directed to a -- computer-implemented--electronic bid method and system. The method and system employ a network to register buyer and seller information. Thus, the claimed invention is clearly in

the technological arts. Accordingly, the outstanding rejection under 35 USC §101 is believed to have been overcome.

Turning now to the rejection based on Giovannoli, according to Giovannoli, a buyer's request for quotation is received over a communication network. One or more appropriate vendors are selected to receive the buyer's request for quotation based on filter conditions, if any, set by the buyer, vendor and the network software. The buyer's request for quotation is transmitted to the selected vendors over a communication network. Then, the selected vendors communicate their quotations either directly to the buyer or to the computerized system which in turn makes available or transmits the received quotations to the requesting buyer.

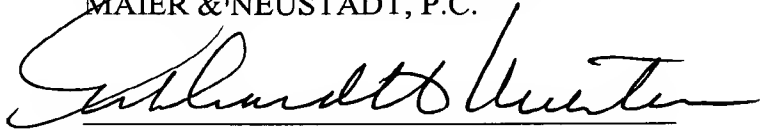
However, Giovannoli does not disclose an electronic bid method in which a service provider registers, through a network, a user as a buyer and merchandise/service that the buyer wants to buy in a first database; registers, through the network, a user as a seller and merchandise items/services that the seller is offering to sell in a second database; categorizes merchandise items/services of the first database into groups and searches the number of potential buyers who want to buy merchandise items/services in at least a group being categorized from the first database; selects sellers who are offering to sell merchandise items/services in the same group from the second database and provides to the selected sellers potential buyer information including the number of buyers for the same group; and receives selling information including a selling price of the merchandise/service to offer from at least one of the selected sellers and provides the selling information to each of buyers in the same group. As such steps are stated in new Claim 10 and corresponding functionality stated in new Claim 16, it is respectfully submitted that in view of the noted deficiencies in the Giovannoli reference, the newly submitted Claims 10-21 patentably define thereover.

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Reply to Office Action of November 18, 2004

Consequently, in view of the present amendment and in light of the above discussion, no further issues are believed to be outstanding, and the present application is believed to be in condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read 'Eckhard H. Kuesters', written over a horizontal line.

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## MARKED-UP SUBSTITUTE SPECIFICATION

### TITLE OF THE INVENTION

ELECTRONIC BID METHOD AND ELECTRONIC BID SYSTEM

### CROSS REFERENCE TO RELATED APPLICATIONS

5 This is a Continuation Application of PCT Application No. PCT/JP00/06572, filed September 25, 2000, which was not published under PCT Article 21(2) in English.

This application is based upon and claims the benefit of priority from the prior Japanese Patent Application No. 2000-234507, filed August 2, 2000, the entire contents of which are incorporated herein by reference.

### 10 BACKGROUND OF THE INVENTION

#### 1. Field of the Invention

The present invention relates to an electronic bid scheme (merchandise providing information notification scheme) and, more particularly, to a scheme for allowing a seller to sell an item to a buyer upon collecting data representing buyers' purchase consensuses in a  
15 system for selling and buying merchandise/services using a network.

#### 2. Description of the Related Art

In a system for selling and buying merchandise using a network, a method of making a buyer search for and select a seller on a Web results in a waste of time and communication cost in finding out a seller who offers desired merchandise at low cost. It is almost  
20 impossible to select an optimal seller from among an enormous amount of information of on a network. In addition, in a so-called reverse auction scheme in which a seller accepts or declines a buyer's bid, the seller must make a decision for the request of each individual user, resulting in an overload on the seller side.

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As described above, in the conventional scheme, a buyer wastes time and communication cost before he or she can find out a seller who offers buyer's desired merchandize at low cost. In the reverse auction scheme, an overload was imposed on the seller side because the seller must make a decision for the request of each individual user.

### **BRIEF SUMMARY OF THE INVENTION**

The present invention has been made in consideration of the conventional problems described above, and has as its object to provide an electronic bid method and electronic bid system capable of allowing a buyer to select a seller offering the best condition by allowing the seller to sell an item to the buyer upon collecting data representing buyers' purchase consensuses in a system for selling and purchasing merchandise/services using a network.

In order to achieve the above object, according to the present invention, there is provided an electronic bid method characterized in that a buyer registers desired merchandise/service information in a database of a service provider via a network, the service provider discloses to a seller via the network information including the number of potential buyers for each merchandise/service on the basis of the registered merchandise/service information, the seller determines a sales condition on the basis of the disclosed information and notifies the service provider of merchandise providing information, and the service provider notifies the potential buyers of the merchandise providing information notified from the seller.

An electronic bid system according to the present invention ~~is an electronic bid system for allowing~~ allows a service provider to serve as an agent in a sales transaction between a buyer and a seller via a network, ~~characterized by comprising and includes~~

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purchase merchandise/ service information processing means comprised of means for storing  
merchandise/service information to be purchased by a buyer and means for notifying a seller  
of the number of potential buyers for each merchandise/ service on the basis of the  
merchandise/service information to be purchased and stored in the storing means, and sales  
5 merchandise/service information processing means comprised of means for notifying the  
service provider of a sales condition determined by the seller and means for notifying the  
buyer of the sales condition notified from the seller.

According to the present invention, in the system for selling and purchasing  
merchandise/services using the network, the seller collects the data representing the buyers'  
10 purchase consensuses and sells merchandise based on the consensuses. A buyer notifies a  
service provider serving as an agent for sales/purchase information of buyer's desired  
merchandise/service by mail or an input from a Web. The service provider registers the  
buyer's desired merchandise/service in a database. Of all the registered data, the category of  
the buyer's desired merchandise and the number of potential buyers for this merchandise are  
15 disclosed from the service provider to the seller. The seller browses the disclosed data and  
provides information such as a price to the buyer by electronic mail or on the Web via the  
service provider. This does not overload the seller and makes it possible for a buyer to select  
a seller offering the best condition. That is, the seller makes a bid for a buyer's request, and  
the buyer can know the best seller. This system can eliminate cumbersome operation of the  
20 seller's bids for individual buyers. Once the buyers' requests are stored in the database, only  
macro data of the merchandise category and the number of potential users (quantity of  
merchandise) are disclosed. This allows the seller to make bids for some quantity. Since

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only the macro data are disclosed to the seller, leakage of personal information of users can be prevented. The database display for each seller can be customized to display only necessary merchandize categories. When the seller sends merchandize providing information, the number of users of the database to be displayed is reset to prevent the same  
5 information from being repeatedly sent.

According to the present invention, once the buyers' requests are stored in the database of the service provider, only macro data, i.e., the merchandise category and the number of potential users (quantity of merchandise) are disclosed. This allows the seller to make bids for ~~some~~ a defined quantity. The seller conveniently need not make a bid for each  
10 individual buyer, ~~resulting in convenience~~.

### BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING

An embodiment of the present invention will be described with reference to the following accompanying drawings, in which

FIG. 1 is a block diagram of a system to which an electronic bid method of the present  
15 invention is applied;

FIG. 2 is a flow chart showing processing of the electronic bid method according to the present invention;

FIG. 3 is a view showing the data format of desired request information of buyers registered in the database of a service provider in the system shown in FIG. 1;

20 FIG. 4 is a view showing a table in which information representing the number of buyers is stored in relation to information representing sellers who deal purchase request merchandise items for each purchase request merchandise item; and

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FIG. 5 is a conceptual view showing the data flow between the user, service provider, and seller in the system shown in FIG. 1.

### DETAILED DESCRIPTION OF THE INVENTION

The present invention will be described in detail by way of its illustrated embodiment.

5        FIG. 1 is a block diagram showing a system to which an electronic bid scheme of the present invention is applied. Referring to FIG. 1, a service provider 1 functioning as an agent is connected to a buyer's terminal 5 via a network 3 and to a seller's terminal 9. The service provider 1 has a database 11 in which purchase request merchandize/service information transmitted from a buyer is registered.

10        FIG. 2 is a flow chart showing processing of an electronic bid scheme according to the present invention. FIG. 3 ~~is a conceptual view showing~~ shows the data format of the flow of data exchanged between a buyer, seller, and service provider.

      In step S1 of FIG. 2, each seller is registered. That is, a seller who wants to sell merchandize/ services makes agreement with the service provider and registers himself or  
15    herself. In this case, the category of merchandize/services is registered.

      FIG. 3 shows the format of buyer's purchase request information registered in the database of the service provider. As shown in FIG. 3, the format has a user ID field for specifying a buyer, a purchase request merchandize (code information) field, and a quantity field. FIG. 4 is a table which stores a list of sellers for each merchandize item. The service  
20    provider calculates the quantity for each merchandize item from the table shown in FIG. 3, refers to the list shown in FIG. 4, and notifies the seller of the purchase request quantity for each merchandize item. Browse



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In step ~~S3~~ S2 of FIG. 2, buyer's purchase request information is registered. More specifically, as shown in FIG. 5, each user accesses the predetermined Web page of the service provider and registers purchase request merchandize/service information. This information may be registered by a method of sending information in a predetermined format  
5 using electronic mail.

In step ~~S5~~ S3 of FIG. 2, a database is constructed and disclosed. More specifically, the service provider constructs a database for the number of potential buyers for the merchandize/services of a specific category on the basis of the purchase request merchandize/service information (number of merchandize items) transmitted from the users.

10 A database to be disclosed is customized for each seller. The merchandize/service information is disclosed to a seller within the range of the category of merchandize in which the seller deals. A method of disclosing a database is shown in FIG. 5. That is, a seller accesses the service provider, and browses a Web page constructed for each seller. Alternatively, a seller is notified of the database by the service provider via electronic mail.

15 In step ~~S7~~ S4 of FIG. 2, merchandize providing information is notified. That is, a seller determines merchandize/service providing conditions, i.e., a price, merchandize specifications, and purchase method on the basis of the revised information of the database, its own stock, and purchasing price. The service provider is notified of the determined merchandize providing information. More specifically, as shown in FIG. 5, the seller  
20 prepares merchandize providing information mail including the merchandize specifications, price, purchasing method, and transmission request message and sends it to the service provider. Note that the merchandize providing information may be notified not by sending

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electronic mail but by inputting the information on the Web page provided by the service provider.

In step ~~S7~~ S4 of FIG. 2, ~~the merchandize providing information is notified. That is,~~  
all the potential buyers for the merchandize/services of the category of interest are notified of  
5 the merchandize providing information of the seller from the service provider. The  
merchandize providing information may be notified by sending electronic mail or writing the  
information on the Web page prepared for only each potential buyer. Similarly, each  
potential buyer is notified of merchandize providing information from other sellers. The  
number of potential buyers in the database for each seller is cleared when the merchandize  
10 providing information is notified from each seller. Each seller only presents the merchandize  
providing information to each potential buyer at this time. The number of potential buyers on  
the database can always be new information which represent those who have not presented  
merchandize providing information to new potential buyers.

In step ~~S9~~ S5 of FIG. 2, a sales agreement is made. That is, as shown in FIG. 3, each  
15 user browses the merchandize providing information provided by one or more sellers, checks  
the sales conditions of the respective sellers, and determines the best seller. The user directly  
accesses the determined seller via the Web page, electronic mail, telephone, or FAX. A sales  
agreement is made between the user and seller.

Note that once a sales agreement is made, the buyer notifies the service provider of  
20 cancellation of ~~[[the]]~~ continued purchasing will. The service provider deletes the database  
information concerning this buyer. The remaining sellers who can make no sales agreement

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with this user can know that a sales agreement has been made with another seller by browsing the database of the service provider.

A method of canceling the purchasing will can be done within a predetermined due date. More specifically, once a user registers purchase request information, the  
5 predetermined due date is set, and the service provider instructs sellers to provide merchandize providing information within the predetermined due date. The purchasing will is canceled at the end of the due date. As shown in FIG. 5, each user transmits a clear mail/command to the service provider. The service provider clears the corresponding information (purchase request merchandize/service information) from the database on the  
10 basis of the clear mail/command.

The present invention has been described for a specific embodiment under specific conditions. Many changes and modifications may obviously be made within the scope of the invention without departing from the appended claims.

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declines a buyer's bid, the seller must make a decision for the request of each individual user, resulting in an overload on the seller side.

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An electronic bid system according to the present invention allows a service provider to serve as an agent in a sales transaction between a buyer and a seller via a network, and